THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.8383 of 1996

Date:09-09-2005

Between:

Babu Miya and two others .. **Petitioners**

A n d

The Govt. of A.P. and others .. **Respondents**

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.8383 of 1996

ORAL ORDER:

Petitioners, who were assigned lands in Sy.Nos.72, 73, 74 and 75 situated at Devanur village, Regoda Mandal, Medak District, filed this petition claiming compensation as per the provisions of the Land Acquisition Act, 1894 (the Act), on

the ground that though the notification was published in the Gazette of 1982, no award was passed in their favour.

2. The contention of the learned counsel for petitioners is that though the lands are patta lands, in view of the fact that a Full Bench of this Court in **THE LAO CUM RDO, HYDERABAD v. M.PANDU** held that the owners of assigned lands also are entitled to compensation under the provisions of the Act, petitioners also are entitled to compensation under the Act and so the respondents may be directed to pass an award in favour of the petitioners as per the provisions of the Act.

3. Heard the learned Assistant Government Pleader.

4. No doubt in **M.Pandu** case (1 supra) relied on by the learned counsel for the petitioners it is held that owners of acquired land also are entitled to compensation as per the Act. But, in this case, as seen from the petitioners' affidavit itself, the land was acquired by issuing Section 4(1) notification vide G.O.Rt.No.2034 dated 15-11-1979, and that notification is said to have been published in the Gazette in 1982. But, this petition is filed in 1996. Petitioners did not properly explain the long delay of more than 14 years in moving this Court. Their only allegation is that they have been making representations to the concerned authorities. That cannot be a valid ground for this Court granting a relief after a long delay of more than 14 years.

5. Therefore, this writ petition is dismissed only on the ground of delay. No costs.

(C.Y.Somayajulu, J.)

Date: 09/09/2005

Cvrk